

**MINUTES OF THE REGULAR MEETING OF THE  
UPLAND CITY COUNCIL  
AUGUST 13, 2018**

**OPENING**

The regular meeting of the Upland City Council was called to order by Mayor Debbie Stone at 7:01 p.m. in the Council Chamber of the Upland City Hall.

**1. ROLL CALL**

Present: Mayor Debbie Stone, Council Members Carol Timm, Gino Filippi, Janice Elliott, and Sid Robinson

Staff: City Manager Director Bill R. Manis, Assistant City Attorney Steven Flower, and Assistant City Manager/City Clerk Jeannette Vagnozzi

**2. ADDITIONS/DELETIONS TO AGENDA** None

**3. ORAL COMMUNICATIONS** None

**4. CLOSED SESSION** None

**5. INVOCATION** Reverend Jan Chase, Unity Church of Pomona

**6. PLEDGE OF ALLEGIANCE** Councilmember Filippi

**7. PRESENTATIONS**

Presentation of Badge to Police Officer Jonathan Aguilar-Perez by Police Chief Darren Goodman.

Dr. Holly Reynolds, Executive Director of The Learning Centers presented the proceeds from the Lemon Festival.

Grants from the Lemon Festival proceeds were awarded to the grant recipients.

**8. CITY ATTORNEY** None

**9. ORAL COMMUNICATIONS** None

**10. COUNCIL COMMUNICATIONS**

Councilmembers announced various activities throughout the community.

**11. CONSENT CALENDAR**

Motion by Councilmember Filippi to approve the Consent Calendar, seconded by Councilmember Robinson, and carried unanimously.

**A. APPROVAL OF WARRANT AND PAYROLL REGISTERS JULY 2018**

Approved the July Warrant Registers and Direct Disbursements (check numbers 21154-21564) totaling \$12,654,120.55 and Payroll Registers totaling \$977,842.37 (check numbers 160098-160141 and EFTs 9427-9896).

B. APPROVAL OF MINUTES

Approved the Regular Meeting Minutes of July 23, 2018 and the Special Meeting Minutes of August 1, 2018.

C. TREASURER'S REPORT JUNE 2018

Received and filed the June 2018 Treasurer's Report

D. BEVERAGE CONTAINER RECYCLING CITY/COUNTY PAYMENT PROGRAM GRANT

Accepted the Beverage Container Recycling City/County Payment Program FY2017-18 Grant Award of \$19,261 and appropriated the funding.

E. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND DELEGATING AUTHORITY TO THE CITY MANAGER TO MAKE DETERMINATIONS UNDER SECTION 21152(c), GOVERNMENT CODE, RELATING TO DISABILITY RETIREMENTS FOR LOCAL SAFETY MEMBERS

Adopted Resolution No. 6459 delegating authority to the City Manager to make determinations under Section 21152(c) Government Code, relating to Disability Retirement for local safety members.

F. AGREEMENT FOR SEWER SERVICE – WECARE DIALYSIS CENTER

Authorized the execution of the Agreement for Sewer Service, for Wecare Dialysis Center.

G. AMENDMENT OF EXISTING AGREEMENT WITH ANNEALTA GROUP

Approved the First Amendment for Professional Consulting Services with the Annealta Group, Inc. and authorized the City Manager to sign the first amendment.

H. BUDGET AMENDMENT TO ACCEPT AND APPROPRIATE THE LEMON FESTIVAL PROCEEDS

Approved the budget amendment to receive and appropriate the proceeds from the Upland Lemon Festival.

**12. PUBLIC HEARINGS**

A. ANNUAL WEED ABATEMENT PROGRAM - ACCEPTANCE OF THE YEAR END REPORT

Report given by Weed Abatement Coordinator Bloomfield, which is on file in the City Clerk's Office.

Mayor Stone opened the public hearing.

Elizabeth Torres, Irvine, contested the charges being assessed to the property she manages.

There being no other speakers, Mayor Stone closed the public hearing.

Weed Abatement Coordinator Bloomfield provided a history of inspections and noticing procedures for properties and stated that compliance was at approximately 90% after the first notification to property owners. There was discussion on the timeline for noticing and abatement for all property owners.

Motion by Councilmember Timm to accept the itemized cost report for all weed abatement assessments and authorize placement on the San Bernardino County property tax rolls, seconded by Councilmember Elliott, and carried unanimously.

**B. ADOPT A RESOLUTION APPROVING CONDITIONAL USE PERMIT NO. 18-02, FOR MONTESSORI ACADEMY OF UPLAND**

Report given by Contract Planning Manager Guarracino along with a PowerPoint presentation, which is on file in the City Clerk's Office.

Mayor Stone opened the public hearing.

Adam Thewes, Upland, stated he is the owner of Montessori of Upland and provided information about the school, expansion of the program, and the new location.

Ellie Gault, Upland, stated she is a parent who has children at Montessori academy. She stated that Upland has very few options in the City for working parents and she is excited about new location and expansion.

Kris Thewes, Upland, stated she is an employee and licensee of Montessori academy of Upland with 41 years' experience in Montessori. She also stated that the school provides a valued service to the community.

Patrick Work, Upland, stated he has two children who attend Montessori academy and he recommends the school to new parents.

There being no other speakers, Mayor Stone closed the public hearing.

There was discussion on the sign in/out process for the children, licensing requirements by the state, potential issues with other tenants near the location, security, and hours of operation.

Motion by Councilmember Filippi to find the project is Categorically Exempt from environmental proceedings pursuant to Article 19, Section 15301, (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, since the project consists of minor alterations of an existing structure, and involves negligible or no expansion of the use beyond that existing at the time of the lead Agency's determination; and adopt Resolution No. 6460 approving Conditional Use Permit No. 18-02, a request to allow the Montessori Academy Upland to operate from an existing commercial office building, the project site has a general plan land use designation of commercial residential mixed use (C/R-MU) and is zoned commercial residential mixed use (C/R-MU), the property is located at 934 N. Mountain Avenue, Suite B, Upland, CA 91786, Assessor's Parcel No. 1100-691.07., seconded by Councilmember Timm, and carried unanimously.

C. PROPOSED SOLID WASTE RATE INCREASE - COMMERCIAL BIN SERVICE AND COMPACTOR SERVICE

Report given by Public Works Director Hoerning, which is on file in the City Clerk's Office.

There was discussion regarding the location of recycling bins for businesses, the public notification process, and the percentage of compliance required by the year 2020.

Mayor Stone opened the public hearing.

Gary Lentner, Upland, questioned whether residents would still receive a number of free bulk item pickups each year.

Public Works Directors Hoerning stated that the bulk item pick up for residents would not be affected by the proposed solid waste rate increase.

There being no other speakers, Mayor Stone closed the public hearing.

Motion by Councilmember Timm to approve Resolution No. 6461 adopting revisions to the schedule of solid waste rates relating to commercial bin and compactor services, seconded by Councilmember Filippi, and carried unanimously.

D. CONDUIT FINANCING BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY FOR C.A. GUY LLC IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000

Report given by Development Services Consultant Dukett, which is on file in the City Clerk's Office.

There was discussion the process for bond issuance and the repayment of the debt.

Sam Balisy, Bond Counsel for CEDA, provided information regarding construction and equipment costs as well as anticipated timelines for bond closure and the construction process.

Mayor Stone opened the public hearing and hearing no testimony, closed the public hearing.

Motion by Councilmember Robinson to adopt Resolution No. 6462 approving the Issuance by California Enterprise Development Authority of not to exceed \$10,000,000 aggregate principal amount of the authority's revenue obligations for the benefit of C.A. Guy, LLC for the purpose of financing and refinancing the cost of acquisition, construction, installation and equipping of manufacturing facilities and other matters relating thereto herein specified, seconded by Councilmember Timm, and carried unanimously.

**13. COUNCIL COMMITTEE REPORTS**

**A. SPECIAL INVESTMENTS COMMITTEE MEETING, JULY 25, 2018**

Treasurer Kinley provided a recap of the meeting, which is on file in the City Clerk's Office. This was for information only and no action was required.

**B. SPECIAL LITIGATION COMMITTEE MEETING, JULY 26, 2018**

Councilmember Filippi announced there was no reportable action.

**14. BUSINESS ITEMS**

**A. EMERGENCY PURCHASE AND INSTALLATION OF EQUIPMENT AND PROFESSIONAL SERVICES FOR WATER SYSTEM IMPROVEMENTS**

Public Works Director Hoerning presented the staff report, which is on file in the City Clerk's Office.

There was discussion on the timeline for completing the loan documents, current interest rates, and the need for a new reservoir.

Motion by Councilmember Timm to approve the following resolutions: Resolution No. 6463 adopting an authorizing resolution; Resolution No. 6464 adopting a reimbursement resolution; and Resolution No. 6465 adopting a pledge of revenue funds (PRF) resolution as required for the Drinking Water State Revolving Loan Application, seconded by Councilmember Elliott, and carried unanimously.

**15. ORAL COMMUNICATION (items not on the agenda)**

Dave Stevens, Upland, stated that misinformation posted on social media needed to be corrected by the City.

Ricky Felix, Upland, spoke about traffic safety issues in his neighborhood.

Steve Scovill, Upland, suggested that City Councilmembers should be paid more in order to encourage more candidates to run for office.

Dede Ramella, Upland, spoke regarding negative experiences on social media sites.

Natasha Walton, Upland, stated that she felt the postings regarding the public hearing for Sycamore Park was not conspicuous enough.

Christine Ho Ching spoke about traffic safety issues in her neighborhood.

Irmalinda Osuna, Upland spoke regarding outreach to residents about the proposed sports park project.

**16. CITY MANAGER      None**

**17. ADJOURNMENT**

At 9:07 p.m., Mayor Stone adjourned in memory of Planning Commissioner Ron King. The next regularly scheduled City Council meeting is Monday, August 27, 2018.

**SUBMITTED BY**

  
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Jeannette Vagnozzi, City Clerk

**APPROVED**

August 27, 2018\_\_\_\_\_